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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,966	12/08/2000	Hiroshi Odagiri	S004-4157	3820

7590
Adams & Wilks
50 Broadway
31st Floor
New York, NY 10004

06/24/2004

EXAMINER

LE, DANH C

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 06/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/732,966

Applicant(s)

ODAGIRI ET AL.

Examiner

DANH C LE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-39 is/are allowed.
- 6) ☒ Claim(s) 13-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 13, 14, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartholomew (US 5,724,417) in view of Bell (US 6,600,902).**

As to claim 13, Bartholomew inherently teaches an information processor (figure 1) comprising:

A transmitter (transceiver 11) to transmit a signal receivable only in the range of a predetermined distance to another information processor previously assigned;

A receiver (transceiver 11) to receive a reply signal sent from said another information processor in response to the signal transmitted by said transmitter (39);

a decision circuit to make a determination as to whether the reply signal has been received by said receiver (col.11, lines 12-40); and

a processing operation controller (13) to execute a predetermined processing operation depend upon the result of the determination made by said decision circuit (col.12, lines 21-62).

Bartholomew fails to teach an operation command circuit for issuing commands to perform predetermined processing operations in response to manual input. Bell teaches an operation command circuit for issuing commands to perform predetermined

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processing operations in response to manual input (figure 2, 29 and col.4, line 42-col.5, line 9). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Bell into the system of Bartholomew in order to perform the data object conveying task for all involved wireless links within a predetermined time.

As to claim 14, the combination of Bartholomew and Bell teaches an information processor according to claim 13, wherein the information processing device is a portable telephone or handheld computer (Bell, col.4, line 42-col.5, line 9).

As to claim 17, the combination of Bartholomew and Bell teaches an information processor according to Claim 13, further comprising changeover circuit to change over said transmitter between a transmitting mode in which the transmitter transmits the signal to the other information processing device and a non transmitting mode in which the transmitter does not transmit the signal to the other information processing device (Bartholomew, col.12, lines 21-62).

3. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartholomew and Bell in view of Kita (US 5,960,367).

As to claim 15, the combination of Bartholomew and Bell teaches an information processor according to Claim 1. The combination of Bartholomew and Bell failed to teach said another information processor is an information processor wearable on a wrist. Kita teaches another information processor is an information processor wearable on a wrist (figure 1, 27). Therefore, it would have been obvious to one of ordinary skill

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in the art at the time the invention was made to provide the teaching of Kita into the system of Bartholomew and Bell in order to wear the device on the hand.

As to claim 16, the limitation of the claim is the same as claim 15; therefore, the claim is interpreted and rejected as set forth as claim 15.

Allowable Subject Matter

4. Claims 18-39 are allowed.

As claims 18-24, 30-34 are allowed in the previous Office Action on date 12/05/03.

As to claims 25, 35, the teaching of above prior arts either alone or in combination fails to teach an alert circuit for informing a user of the incoming call in response to reception of the signal by the first receiver based upon the determination result made by the decision circuit.

Dependent claims 26-29, 35-39 are allowable for the same reason.

Response to Arguments

5. Applicant's arguments with respect to claims 13-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Tognazzini (US 5,790,974) teaches the portable calendaring device having perceptual agent managing calendar entries.

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B. Raithe (US 6,493,550) teaches the system proximity detection by mobile stations.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C LE whose telephone number is 703-306-0542. The examiner can normally be reached on 8:00AM-5:00PM.

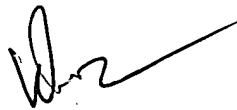
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'danh', with a horizontal line drawn underneath it.

Danh C.Le

A handwritten signature in black ink, appearing to read 'W. Trost', with a horizontal line drawn underneath it.

WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600